

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

In Re:

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PORTRAIT PRESENTATION

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THE HONORABLE J. ROBERT ELLIOTT

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O R D E R

It was Friday morning. The date was March 16, 1962; the hour, 11:00 A.M.; exactly forty-two years ago today. The sky was fair; the temperature cool. Excitement was in the air. Columbus had never had its very own federal judge.

Although federal judges had convened court here, they were just visitors, circuit riders who traveled to legal outposts like Columbus. Judge William T. Newman was the first. He traveled to Columbus when Columbus was in the Western Division of the Northern District of Georgia. He held court in the old federal courthouse located at the southeast corner of First Avenue and Twelfth Street. Judge Bascom S. Deaver followed Judge Newman with a distinguished judicial career that lasted until October, 1944. Judge Deaver was the first judge of the Middle District of Georgia, which was carved out of the Northern and Southern Districts in 1926.¹ Although Judge Deaver's permanent duty station was Macon, he had a particular affection for Columbus. When

¹Honorable William J. Tilson was actually the first judge appointed to the Middle District judgeship, having received a recess appointment by President Calvin Coolidge in July, 1926. However, Georgia Senator William J. Harris opposed Tilson's nomination, and he was never confirmed by the United States Senate. President Coolidge ultimately nominated Judge Deaver who was confirmed by the Senate, receiving his commission on March 19, 1928.

he traveled here twice a year for the March and September terms of court, he made sure that Frances Britt Betts, who was the wife of the general manager of the Ralston Hotel where Judge Deaver stayed, arranged a bridge game each evening after he adjourned court for the day. Judge Deaver was also the first judge to hold court in the courtroom we occupy today. In fact, he was so anxious to hold court here that during the March term in 1934, when this courthouse was not quite finished, he ordered furniture moved in temporarily from the courthouse next door, so that he could hold the first term of Court in this majestic courtroom. Judge Deaver was succeeded by Judge Thomas Hoyt Davis in 1945. Judge Davis, who was legally blind, also had his principal chambers in Macon and traveled to Columbus twice a year until his retirement in 1961.

Notwithstanding the qualifications of these distinguished judges, they were not from here. They simply had business here twice a year, in March and September. On this day forty-two years ago, that was about to change. President John F. Kennedy, at the considerable urging of U.S. Senators Herman Talmadge and Richard B. Russell, had nominated a 52 year old lawyer, who was a former member of the Georgia General Assembly and son of a Methodist minister, to fill the vacancy created by Judge Davis's retirement. The nomination of J. Robert Elliott was submitted to the United States Senate for its advice and consent on January 23, 1962. The nominee, a close political ally of Senator Herman Talmadge, was summonsed to appear before the Senate Judiciary Committee for his confirmation hearing on February 7, 1962. Having encountered no opposition, he was confirmed by the entire

United States Senate that same day as United States District Judge for the Middle District of Georgia. The position paid an annual salary of \$22,500, with life tenure as long as he engaged in "good behavior." His staff included a law assistant, Al Moseley, a secretary, Julia Savage, and a court reporter, Claude Joiner.

Although he was not a Columbus native (having been born in Gainesville, Georgia, on January 1, 1910), Judge Elliott had established deep roots in the community. His wife, Brownie, was a member of the locally prominent Buck family. While his wisdom in the selection of a spouse no doubt benefitted his law practice (not to mention his personal life), J. Robert Elliott also carved his own path. Upon graduation from Emory University College of Arts and Sciences in 1930, he taught high school chemistry in Columbus for two years before returning to Emory for law school. After graduating from the Lamar School of Law at Emory University in 1934, he returned to Columbus to practice law. He quickly developed a reputation as an outstanding lawyer and also distinguished himself as an effective political voice as a member of the House of Representatives in the Georgia General Assembly. He was first elected in 1937 and served until he joined the Navy in 1944. Upon his return from military service, he resumed his service in the Georgia House, serving until 1948. He settled down shortly thereafter marrying Miss Brownie Clay Buck in 1949.

Forty-two years ago today, this Courtroom was filled with family, friends, judges, and members of the bar for the Induction Ceremony for Judge J. Robert Elliott. Reverend Frederick S. Porter, Pastor

Emeritus of First Baptist Church, the Buck family church, gave the invocation. J. Madden Hatcher, past president of the Columbus Lawyers Club, made remarks undoubtedly noting that Judge Elliott was the first member of that Club ever appointed to the federal bench. Milton Hirsch, president of the Columbus Lawyers Club, presented Judge Elliott with his judicial robe. Judge William A. Bootle, the other Middle District Judge at the time, traveled from his chambers in Macon to administer the oath of office to his new colleague. Former presidents of the Atlanta Bar, the Georgia Bar, and the American Bar Association all offered their congratulations to Georgia's newest federal judge.

Brownie Buck Elliott, who affectionately referred to Judge Elliott as "Chief" during their 54 years of marriage, was proudly beaming in a perfectly tailored off white two piece suit and matching black hat. The well behaved Elliott children, Susan, age 10, and Bob, age 8, were at her side, likely intimidated just a bit by all the pomp and circumstance of the occasion but no doubt proud of "Daddy."

As he took the oath of office, he could not have known what awaited him. To appreciate the breadth of change that occurred during his 38 year tenure on the bench, one need only review newspaper clippings from the day of his induction ceremony in 1962. One headline ominously read: "Soviets Say 'No' to Test Ban Plan." An accompanying article reported an announcement by Russian Premier Nikita Krushchev that Russia had put a new space craft in orbit, and that the Soviet Union had a new invulnerable rocket that could fly around the world and deliver a blow to any target. Other headlines

of that day included "U.S. Enforces Registration of Communist Officials; Two Reds Held." In a back page story, it was reported that CBS was moving one of its reporters to its early evening news show to replace Douglas Edwards, apparently as part of a plan to compete with the NBC Huntley-Brinkley team. The new CBS anchor was Walter Cronkite.

Judge Elliott served on the federal bench when many of the most important issues of the day ended up on the desks of federal judges. The atmosphere of Judge Elliott's induction ceremony, as captured by a reporter with the Columbus Ledger-Enquirer, foreshadowed the importance of his new duties. The reporter observed:

"It was one of those moments in which the Nation's heritage sparkled and gave deeper meaning to our system of laws. The ceremony was marked by simplicity and solemn dignity, an occasion which generated a reaction not unlike that deep feeling of patriotism which wells up in one when the flag goes by. The ceremony seemed to draw those watching back to the founding of this nation and moved many to a quiet tear as the new judge was given the oath, his judicial robe, and escorted to the bench. The room itself seemed to possess the quality of continuity, as does our great system of laws. It was a moment which embodied the essence of this nation."

Although this Courtroom today closely resembles the Courtroom in 1962, not much else has remained the same. When Judge Elliott began his distinguished judicial career, commercial air travel was

relatively rare. Today, we've got human footprints on the moon and robots on Mars. When he began, we had no Civil Rights Act of 1964 or 1965. Today, the Chief Judge of the Middle District of Georgia is black. When he began, a judge read the law from hardbound books that you could touch and feel. Today, we pull it up on a computer screen with the click of a finger.

During his tenure, eight different United States Presidents occupied the White House and three separate Chief Justices presided over the United States Supreme Court. He saw the demise of the Soviet Union and the rise of radical terrorists. He has witnessed the transformation of his adopted City from a sleepy textile town to a regional metropolitan area with almost 200,000 residents. He saw an explosion in the number of cases filed in the federal courts, requiring the creation of an entirely new Appeals Court Circuit and an expansion of the Middle District of Georgia from two judges to three and now to four.

He watched his little girl follow in her father's legal footsteps and become a high powered lawyer in a national law firm. He saw his baby boy grow up to be a banker and then participate in the family business with the business acumen he inherited from his mother.

He has seen it all. His judicial reputation is legendary. There was no doubt who was in charge of this courtroom. Lawyers did not fear him (except when they crossed the line); but they always respected him and what he stood for. He was decisive, independent, efficient, fair, and a follower of the law. He was not afraid to issue a controversial ruling if he concluded it was called for under

the law. He completely understood his role in the judicial branch. One of the highest compliments that can be paid to another lawyer is for him or her to be referred to as "a lawyer's lawyer." Judge Elliott was a "Judge's Judge."

On that Friday, March 16, 1962, 42 years ago, newly sworn-in Judge J. Robert Elliott remarked:

"I enter upon the discharge of the duties of this office with a feeling of sincere humility. I realize that I do not bring the wisdom and experience of my predecessor, Judge T. Hoyt Davis, or the learning, skill, and fine judicial temperament possessed in such great measure by my colleague, Judge Bootle. I do bring to the office, however, a determination to give it the best that is within me to give, and this I will do in the hope that I may merit your continued confidence."

For 38 years until his retirement in December of 2000, Judge J. Robert Elliott kept his commitment. He gave it his best, and along the way developed Judge Davis's wisdom and experience and Judge Bootle's learning, skill, and judicial temperament. He gave the people in this part of the world confidence in the federal judiciary. He has created a legacy here that those of us who come behind him are privileged to inherit. It is entirely appropriate that we commemorate that legacy and assure that it is remembered for future generations by hanging his portrait in this courthouse he called home for 38 years.

Accordingly, it is hereby ordered by the Judges of the United States District Court for the Middle District of Georgia that the portrait of Judge J. Robert Elliott, United States District Court Judge for the Middle District of Georgia, be displayed in an appropriate and prominent place in the United States Courthouse in Columbus, Georgia.

SO ORDERED, this 16th day of March, 2004.

/s/

W. Louis Sands, Chief Judge

/s/

Hugh Lawson, Judge

/s/

C. Ashley Royal, Judge

/s/

Clay D. Land, Judge

/s/

Wilbur D. Owens, Jr., Senior Judge

/s/

Duross Fitzpatrick, Senior Judge